

DRAFT ENVIRONMENTAL IMPACT STATEMENT
Finance Docket No. 34079

San Jacinto Rail Limited and The Burlington Northern and Santa Fe Railway Company
Construction and Operation of a Rail Line from the Bayport Loop in Harris County, Texas

Lead Agency: Surface Transportation Board; **Cooperating Agencies:** U.S. Coast Guard (USCG), Federal Aviation Administration (FAA), and National Aeronautics and Space Administration (NASA).

Proposed Action: Construction and operation of a new rail line from the Bayport Loop in Harris County, Texas.

Location: The proposed rail line is located near Houston, in southeast Harris County, Texas. The proposed rail line would be constructed between the Bayport Loop and the former Galveston, Houston, and Henderson Railroad (GH&H) rail line, now owned by Union Pacific Railroad Company, near Ellington Field.

Abstract: On August 30, 2001, San Jacinto Rail Limited (SJRL) and The Burlington Northern and Santa Fe Railway (BNSF) (collectively the Applicants) filed a petition with the Surface Transportation Board (Board) pursuant to 49 United States Code (U.S.C.) 10502 for authority for construction by SJRL and operation by BNSF of a new rail line near Houston, Harris County, Texas. In the petition, the Applicants proposed the construction of approximately 12.8 miles of new rail line to serve the petro-chemical industries in the Bayport Loop. The Board's Section of Environmental Analysis (SEA) and the cooperating agencies have prepared this Draft EIS, which identifies and evaluates the potential environmental impacts associated with the Proposed Action and Alternatives, including the No-Action Alternative. The Proposed Action and Alternatives would not have a significant impact on the human environment. The Build Alternatives, which are the Alternatives involving construction, would cause moderate wetland, surface water, and biological impacts. SEA recommends that the Board impose the Applicants' proposed voluntary mitigation measures as a condition of petition approval. The mitigation measures address these moderate impacts as well as a range of additional issues of interest to the community. The Proposed Action and Alternatives would cause negligible impacts on all other impact areas. The cooperating agencies' Federal actions include the USCG's decision on issuing a bridge permit under Section 9 of the General Bridge Act of 1946 (applies to the Build Alternatives involving construction), the decision by the FAA, if requested, to grant a change in the Airport Layout Plan for Ellington Field and release airport property for the Proposed Action Alternative pursuant to 49 U.S.C. 47151-47153, 49 U.S.C. 47107(c)(2)(B), and 49 U.S.C. 47107(a)(16), and NASA's decision on granting an easement to cross an access road for the Proposed Action and one other Alternative involving construction.

Comment Period: The public and any interested parties are encouraged to make written comments on all aspects of this Draft EIS. All comments must be submitted within the comment period, which will close January 27, 2003.

Contacts: Written comments on the Draft EIS may be submitted to:

Surface Transportation Board
1925 K Street, NW
Washington, DC 20423-0001

To ensure proper handling of your comments, please mark your submission:

Attention: Dana White
Section of Environmental Analysis
Environmental Filing FD No. 34079

Due to delays in the delivery of mail currently being experienced by Federal agencies in Washington, DC, SEA encourages that comments be faxed to: 1-866-293-4979.

Further information about the project can be obtained by calling SEA's toll-free number at 1-888-229-7857 (TDD for the hearing impaired 1-800-877-8339). This Draft EIS is also available at the Board's website at: www.stb.dot.gov.

Public Meetings: In addition to receiving written comments, SEA will host public meetings on the Draft EIS at the following locations, dates and times. Interested parties may submit written comments or make oral comments.

Pasadena Convention Center
7902 Fairmont Parkway, Pasadena, TX
January 14, 2003, 7-9 p.m.

Cesar E. Chavez High School
8501 Howard Drive, Houston, TX
January 15, 2003, 7-9 p.m.